

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Sep 13, 2023**

SEAN F. MCAVOY, CLERK

**Petition for Incorporation for Offender Under Supervision**

Name of Offender: Odessa Winnier

Case Number: 0980 1:20CR02041-SAB-1

Address of Offender: [REDACTED] Wapato, Washington 98951

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: September 21, 2022

Original Offense: Possession with Intent to Distribute a Mixture or Substance Containing a Detectable Amount of Fentanyl, 21 U.S.C. § 841(a)(1), (b)(1)(C)

Original Sentence: Prison - Time Served (211 days) Type of Supervision: Supervised Release  
TSR - 36 MonthsRevocation Sentence: Prison - Time Served (30 days)  
(7/26/2023) TSR - 35 Months

Asst. U.S. Attorney: Tom Hanlon

Date Supervision Commenced: September 26, 2022

Defense Attorney: Federal Public Defender

Date Supervision Expires: June 25, 2026

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**PETITIONING THE COURT**

To incorporate the below violation with the pending petition before the Court dated August 23, 2023 (ECF No. 137).

On July 26, 2023, Ms. Winnier's original term of supervised release was revoked. On July 27, 2023, the supervised release conditions were reviewed with Ms. Winnier. Ms. Winnier signed her conditions of supervision acknowledging an understanding of her of her conditions.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

7

**Special Condition #2:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.**Supporting Evidence:** Ms. Winnier is alleged to be in violation of her conditions of supervised release by failing to attend substance abuse treatment on September 11, 2023.

On August 7, 2023, Ms. Winnier completed a substance abuse evaluation with Barth and Associates (Barth) in Yakima, Washington. Ms. Winnier was recommended to enter Level 2.0, intensive outpatient treatment (IOP) groups. Her IOP groups were to begin on August 14, 2023, and Ms. Winnier is to be attending IOP 5 days per week.

Prob12C

**Re: Winnier, Odessa**

**September 12, 2023**

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On September 1, 2023, due to Ms. Winner failing to attend treatment groups and testing positive for cocaine, she was placed on a treatment contract by her counselor and her treatment plan was modified. Per the treatment contract, Ms. Winnier was directed to attend her Level 2.0 IOP sessions with no exceptions unless written authorization was received.

On September 12, 2023, this officer was contacted by Ms. Winner's treatment counselor at Barth. She advised she wanted to speak with Ms. Winner in person; however, she had not been in group since September 8, 2023. She further advised Ms. Winner did not show nor call about missing group on September 11, 2023.

The U.S. Probation Office respectfully recommends the Court incorporate the above-noted violation with the previous petition pending before the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/12/2023

s/Linda J. Leavitt

Linda J. Leavitt  
U.S. Probation Officer

## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

9/13/2023

Date